

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DONALD R. DIXON,

No. 07-10534

Plaintiff,

District Judge Arthur J. Tarnow

v.

Magistrate Judge R. Steven Whalen

THE GAGE CORPORATION OF
DELAWARE,

Defendant.

**ORDER GRANTING IN PART AND DENYING IN PART
MOTION TO AMEND COMPLAINT**

For the reasons stated on the record on November 20, 2007, Plaintiff's Motion to Amend Complaint [Docket #10] is GRANTED IN PART AND DENIED IN PART, as follows:

As to Count II of the proposed First Amended Complaint (Breach of Contract–Wrongful Discharge), the motion is GRANTED.¹

As to Count III (Stock Redemption Agreement), the motion is DENIED.

As to Count IV (Michigan Business Corporation Act), the motion is GRANTED.

As to Count V (Violation of Shareholder's Rights), the motion is GRANTED except

¹ Count I of the first amended complaint is the same breach of contract claim raised in the original complaint.

as to the allegations in ¶ 43(b), and as to that paragraph, DENIED.

As to Count VI (Unjust Enrichment), the motion is DENIED.

SO ORDERED.

S/R. Steven Whalen
R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

Dated: November 20, 2007

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served on the attorneys and/or parties of record by electronic means or U.S. Mail on November 20, 2007.

S/Gina Wilson
Judicial Assistant